

AMENDED IN SENATE AUGUST 11, 2014

AMENDED IN SENATE JUNE 2, 2014

AMENDED IN SENATE SEPTEMBER 6, 2013

AMENDED IN SENATE SEPTEMBER 3, 2013

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY MARCH 11, 2013

AMENDED IN ASSEMBLY JANUARY 31, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 13**

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**Introduced by Assembly Members Chávez and Quirk-Silva**

(Principal coauthor: Senator Block)

**(Coauthors: Assembly Members Grove, Melendez, and Wilk)**

(Coauthors: Senators Correa, Hueso, Huff, and Wyland)

December 3, 2012

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An act to amend Section 68075.5 of the Education Code, relating to postsecondary education.

### LEGISLATIVE COUNSEL'S DIGEST

AB 13, as amended, Chávez. Nonresident tuition exemption: veterans.  
~~Under~~

(1) *Under* existing law, the segments of the public postsecondary education system in the state include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges,

which are administered by the Board of Governors of the California Community Colleges.

Existing law exempts a student of the California Community Colleges or the California State University who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from paying nonresident tuition for the length of time he or she lives in the state after being discharged up to the minimum time necessary to become a resident.

Existing law also exempts one of those students if he or she is enrolled, or intending to enroll, at a campus of the California Community Colleges or as an undergraduate at a campus of the California State University from paying nonresident tuition for up to one year if he or she files an affidavit with the institution stating that he or she intends to establish residency in California as soon as possible. Existing law requires a student to use this exemption within 2 years of being discharged.

Existing law prohibits a former member of the Armed Forces who received a dishonorable or bad conduct discharge from receiving an exemption from paying nonresident tuition under either of the provisions described above.

Existing law provides that the statutory provisions relating to student residency requirements for public postsecondary education apply to the University of California only to the extent that the regents act, by resolution, to make these provisions applicable.

The bill, *notwithstanding the requirements of existing law as referenced above*, would ~~authorize~~ *require* the California Community Colleges, Colleges and the California State University, and *request* the University of California, to exempt from paying nonresident tuition a student or prospective student of their respective segments who is ~~a former member of the Armed Forces of the United States, who has been discharged from active duty, and who is~~ using, or is intending to use, “GI Bill” education benefits, as defined, while enrolled as a student of that segment. *To the extent that this provision would impose new duties on community college districts, it would constitute a state-mandated local program.*

(2) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 68075.5 of the Education Code is  
2 amended to read:  
3 68075.5. (a) Except as provided for in subdivisions ~~(b)~~ (b),  
4 (c), and (d), a student of the California Community Colleges or  
5 the California State University who was a member of the Armed  
6 Forces of the United States stationed in this state on active duty  
7 for more than one year immediately prior to being discharged shall  
8 be exempt from paying nonresident tuition for the length of time  
9 he or she lives in this state after being discharged up to the  
10 minimum time necessary to become a resident.  
11 (b) (1) Except as provided for in ~~subdivision~~ subdivisions (c)  
12 and (d), a student enrolled, or intending to enroll, at a campus of  
13 the California Community Colleges, or as an undergraduate at a  
14 campus of the California State University, who was a member of  
15 the Armed Forces of the United States stationed in this state on  
16 active duty for more than one year immediately prior to being  
17 discharged shall be exempt from paying nonresident tuition for up  
18 to one year if he or she files an affidavit with the institution at  
19 which he or she is enrolled, or intends to enroll, stating that he or  
20 she intends to establish residency in California as soon as possible.  
21 (2) The one-year exemption provided in paragraph (1) shall be  
22 used by the student within two years of being discharged.  
23 (c) (1) Notwithstanding any other law, ~~and except as provided~~  
24 ~~in subdivision (d)~~, the California Community Colleges, Colleges  
25 and the California State University, University shall, and the  
26 University of California ~~are authorized to~~ is requested to, exempt  
27 from paying nonresident tuition a student or prospective student  
28 of their respective segments who is ~~a former member of the Armed~~  
29 ~~Forces of the United States, who has been discharged from active~~  
30 ~~duty, and who is using, or is intending to use, "GI Bill" education~~  
31 ~~benefits while enrolled as a student of that segment. As~~

(2) As used in this subdivision, “GI Bill education benefits” refers to any education benefit administered by the United States Department of Veterans Affairs *pursuant to Title 38 of the United States Code* that is designed to help eligible veterans of the Armed Forces of the United States *or other eligible persons with a relationship to a veteran of the Armed Forces of the United States* to cover the costs associated with enrollment as a student of that segment.

(d) A former member of the Armed Forces of the United States who received a dishonorable or bad conduct discharge shall not be eligible for an exemption pursuant to ~~this section~~ *subdivision (a) or (b)*.

SEC. 2. *If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*